

In the United States Court of Federal Claims

No. 20-356C
(Filed May 26, 2020)

* * * * *

ACTA, LLC,

Plaintiff,

v.

THE UNITED STATES,

Defendant,

and

UNCOMN, LLC,

Defendant-Intervenor.

* * * * *

ORDER

The preliminary injunction, previously secured by plaintiff in this bid protest, *see* Order (April 24, 2020), ECF No. 37, has resulted in a new evaluation and award decision, *see* Notice, ECF No. 50; Joint Status Report at 2, ECF No. 52. Plaintiff has moved for a voluntary dismissal, to which defendant will consent but not defendant-intervenor. Under these circumstances, however, the new award has made the matter brought here moot, and the awardee has no claim in this matter to preserve. *See Tech. Innovation, Inc. v. United States*, 93 Fed. Cl. 276, 279 (2010). Accordingly, plaintiff's motion for a voluntary dismissal is **GRANTED** under Rule 41(a)(2) of the Rules of the United States Court of Federal Claims. The Clerk shall close the case.

IT IS SO ORDERED.

s/ Victor J. Wolski

VICTOR J. WOLSKI
Senior Judge